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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

Article I:

1. Canada continues to call upon nuclear-weapon States not to provide assistance or encouragement to States that may seek to acquire nuclear weapons or other nuclear explosive devices. Canada is also concerned about the proliferation of, *inter alia*, nuclear weapons to non-state actors. Canada is an active participant in the Proliferation Security Initiative, which aims to establish a more coordinated and effective basis through which to impede and stop shipments of, *inter alia*, nuclear weapons material and technology flowing illegally to and from states and non-state actors, consistent with national legal authorities and international law.

Article II:

2. Canada continues to abide by its NPT commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability. This commitment is implemented domestically through Canada's 2000 *Nuclear Safety and Control Act* and corresponding regulations.

Article III:

3. Pursuant to Article III, Canada has in place a comprehensive safeguards agreement with the IAEA for the application of safeguards in connection with the NPT. The IAEA has provided annually a positive assessment of safeguards implementation in Canada pursuant to this agreement. In support of IAEA efforts to strengthen safeguards, Canada concluded a Protocol additional to its safeguards agreement, which entered into force on 8 September 2000. Canada continues to cooperate with the IAEA with regards to the Protocol's implementation with a view to the Agency drawing a conclusion at the earliest possible date about the non-diversion of declared nuclear material and the absence of

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undeclared nuclear activities in Canada. Canada continues to urge states that have yet to bring into force comprehensive safeguards agreements and protocols additional to their safeguards agreements to do so as soon as possible.

4. Consonant with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with Decision 2, Paragraph 12 of the 1995 NPT Review and Extension Conference, Canada will only authorize nuclear cooperation with those non-nuclear-weapon States which have made an internationally legally-binding commitment not to acquire nuclear weapons or other nuclear explosive devices, have accepted IAEA safeguards on the full scope of their nuclear activities, and have accepted, through a bilateral nuclear cooperation agreement with Canada, a number of additional measures designed to ensure that nuclear items supplied by Canada do not contribute to the proliferation of nuclear weapons. This policy has been in place since 1976. Canada maintains a national system for controlling the export of all items especially designed or prepared for nuclear use and certain nuclear-related dual-use items, including, with respect to the specific requirements of Article III.2, source or special fissionable material and equipment or material especially or prepared for the processing, use or production of special fissionable material. Canada's export control legislation includes a catch-all provision. Canada's national system is consistent with the lists of those multilateral nuclear export control mechanisms in which it participates. All these measures serve to facilitate Canada's peaceful nuclear commerce and international cooperation without contributing to proliferation.

Article IV:

5. Canada strongly supports the peaceful uses of nuclear energy. Canada maintains a robust civilian nuclear power program. It is the world's largest producer of natural uranium, and is a world leader in the production of radioisotopes for medical and industrial applications. Canada has Nuclear Cooperation Agreements in force covering 37 countries, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. Canada held consultations during the past year with five of its bilateral partners to discuss the status of implementation of the agreements.

6. In view of the inherent relationship between states' inalienable rights to the peaceful uses of nuclear energy, and the obligations contained elsewhere in the Treaty, cooperation by Canada with other countries in the peaceful uses of nuclear energy takes fully into account the non-proliferation credentials of the recipient country, including its performance under Article III. Canada is committed to working with other states and the relevant international organizations on new nuclear supply arrangements, which respond to the preoccupations of both suppliers and recipients with regard to their obligations under Articles III and IV.

Article V:

7. The Final Document of the 2000 Review Conference affirms that provisions of this article are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Canada signed the CTBT on 24 September 1996 when it opened for signature and deposited its instrument of ratification on 18 December 1998. Consistent with Canada's call on all states that have not yet done so to ratify the CTBT, particularly the states listed in Annex 2, Canada's Foreign Affairs Minister wrote to all his counterparts in non-ratified states in advance of the Third Article XIV Conference to Facilitate Entry into Force of the CTBT held from 3-5 September 2003 urging their countries to sign and/or ratify the Treaty. Canada reiterated this message at the Conference. In February 2004, Canada agreed to be included on a contact list of countries that will assist the Entry into Force Coordinator in promoting activities at the regional level that further entry into force of the Treaty. At the 58th session of the UN General Assembly, Canada co-sponsored the CTBT resolution which called for the earliest possible entry into force of the Treaty and urged the maintenance of unilateral moratoria on nuclear weapons test explosions until entry into force is achieved. Canada places a priority on the establishment of the Treaty's verification system and, as such, is a leader among member states in contributing resources, equipment and expertise to the development of the CTBT's international monitoring system (IMS). Most recently, radionuclide station (RN16) in Yellowknife, North West Territories was certified on August 22, 2003.

Article VI:

8. Canada's objective has been and remains the complete elimination of nuclear weapons. Canada expects the nuclear-weapon States to engage actively on this issue and to make further progress to reduce and to eliminate nuclear weapons. All members of the international community have a deep and abiding stake in this process. Canada believes that every State Party to the NPT has an interest and a responsibility to encourage the fulfilment of Article VI and it supports the 13 Practical Steps towards Nuclear Disarmament that were agreed to at the 2000 Review Conference. Canada voted in favour of the resolution *Towards a nuclear-weapon-free world: a new agenda* at the 58th session of the United Nations General Assembly. Canada welcomed the Russian Federation's ratification of the Strategic Offensive Reductions Treaty, signed by the Russian Federation and the United States in May 2002, and its subsequent entry into force. Canada continues to believe that codification, verifiability, transparency and irreversibility are necessary to mark progress in the reduction of nuclear arsenals.

9. Canada believes that progress in reducing strategic nuclear weapons alone is not sufficient. Canada supports further reductions of non-strategic nuclear weapons as an important step towards the elimination of nuclear weapons. Canada considers transparency, verification measures and technologies as practical contributions towards their reduction and elimination.

10. Canada supports the reduced salience of nuclear weapons and the significant reduction of North Atlantic Treaty Organization (NATO) forces, both conventional and nuclear, that has taken place since the end of the Cold War. Canada, as a member of NATO, continues to advocate that the Alliance play a positive role in advancing disarmament objectives, through a continuous step-by-step

approach. Canada actively contributed during NATO discussions to the updated Basic Fact Sheets, "NATO's Position Regarding Nuclear Non-proliferation, Arms Control and Disarmament and Related Issues" and "NATO's Nuclear Forces in the New Security Environment".

11. During the 58th Session of the United Nations General Assembly, Canada again tabled a resolution calling for negotiations within the Conference on Disarmament on a Fissile Material Cut-off Treaty (FMCT); this resolution received an increased number of co-sponsors, from all groups, and was again adopted by consensus. Pending conclusion of an FMCT, Canada has urged the nuclear-weapon States to affirm or reaffirm, as the case may be, their commitment to forever cease production of fissile material for nuclear weapons or other nuclear explosive devices. Canada's Foreign Affairs Minister recently wrote to all his G8 counterparts urging resumption of work in the deadlocked Conference on Disarmament.

12. Under the scope of the Global Partnership Against Weapons and Materials of Mass Destruction, Canada will contribute up to CA$1 billion over the next ten years to non-proliferation, disarmament and counter terrorism cooperation projects in Russia and certain other newly-independent states. In May 2003, Canada announced its initial tranche of funding totalling (CA) $149 million for cooperation projects in a number of priority areas. On nuclear related projects, Canada is contributing $32 million to the European Bank for Reconstruction and Development's Northern Dimension Environmental Partnership (NDEP) to safely and securely manage spent nuclear fuel (including Highly Enriched Uranium) from submarines in Northern Russia. In addition, Canada is contributing $4 million to the International Atomic Energy Agency's Nuclear Security Fund to strengthen nuclear and radiological security throughout the Commonwealth of Independent States (CIS). As well, Canada has contributed $18 million to the International Science and Technology Center in Moscow, which will, *inter alia*, employ former nuclear weapons scientists in peaceful research projects.

13. For the disposition of fissile materials, under the Global Partnership Program, Canada has pledged $65 million towards Russia's plutonium disposition program, which will dispose of material for thousands of nuclear weapons. This initiative began at the Moscow Nuclear Safety and Security Summit in 1996. Coupled with the signature by the United States and Russia, in 2000, of a bilateral agreement in which each country undertook to dispose of 34 metric tonnes of such plutonium, this has brought the initiative to a point where it is nearing implementation.

14. In the interests of general and complete disarmament, Canada is also a State Party to the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Ottawa Convention banning anti-personnel mines, the Treaty on Conventional Forces in Europe, Open Skies, the Treaty on Certain Conventional Weapons and the Outer Space Treaty. Canada has provided financial support to mine clearance and related activities in over 25 states, as well as to small arms and light weapons disarmament, demobilisation and reintegration, collection and destruction in Latin America and the Caribbean, Europe, Africa and Asia.

Article VII:

15. While not itself a member of a nuclear weapon free zone, Canada welcomes and encourages progress to develop and implement nuclear weapon free zone agreements consistent with international law and internationally-agreed criteria. At the 58th session of the United Nations General Assembly, Canada supported resolutions calling for the establishment or consolidation of nuclear weapon free zones.

Article VIII:

16. The NPT indefinite extension and accompanying decisions, adopted in 1995, included a commitment to a Strengthened Treaty Review Process. In this regard, Canadian priorities for the NPT in both the short and the long term focus on enhancing the permanence and the accountability of the Treaty. In this spirit, Canada delivered at the Second Preparatory Committee meeting of the 2005 review cycle its second report on its implementation of the Treaty. As well, it presented a Working Paper to explore how States parties could effectively fulfill the reporting requirements agreed at the NPT 2000 Review Conference. Canada will submit to the Third Preparatory Committee meeting a working paper proposing a number of ideas to carry the issue of reporting forward, building toward a decision at the 2005 Review Conference. Canada will also submit to the Third Preparatory Committee a Working Paper proposing ideas for overcoming the institutional deficit of the NPT. Canada encourages States Parties to explore these issues with the goal of a decision being reached at the 2005 Review Conference.

Article IX:

17. At the 58th session of the United Nations General Assembly, Canada called on India, Israel and Pakistan, still outside the NPT, to join as non-nuclear-weapon States. Canada condemned the nuclear tests conducted by India and Pakistan in May 1998, and has formally expressed its regret over nuclear-capable ballistic missile tests carried out by each country. Canada regards Indian and Pakistani nuclear proliferation, and their claims to be nuclear-weapon States, as new and significant threats to international peace and security. Canada, therefore, supports Security Council resolution 1172 and its requirement that India and Pakistan renounce their nuclear weapons programmes. Canada recalls and supports fully the May 2000 Review Conference Final Document declaration that the Indian and Pakistani nuclear tests "do not in any way confer a nuclear-weapon State status or any special status whatsoever." At the IAEA General Conference in September 2003, Canada reiterated its concern "that India, Israel and Pakistan, three Member States of the IAEA, remain outside of the NPT" and urged them "to join the NPT as non-nuclear-weapon states, unconditionally and without delay", as "a basic requirement of full membership in the international community". In an effort to diminish tensions in South Asia and hence reduce the risk of the use of nuclear weapons, Canada supports initiatives aimed at fostering confidence building measures in the region.

Article X:

18. Canada deplored both the announcement by the Democratic People's Republic of Korea on 10 January 2003 of its intention to withdraw from the NPT and its history of chronic non-compliance with its safeguards agreement. In bilateral contacts with the DPRK and in relevant multilateral fora, Canada urges the DPRK to reverse its decision and comply fully with all nuclear non-proliferation norms, including the obligations contained in the NPT safeguards agreement with the IAEA, and to dismantle its nuclear weapons programme in a complete verifiable and irreversible manner. Canada introduced a resolution on the DPRK at the September 2003 IAEA General Conference, which was adopted by consensus, and which sought to promote the implementation of safeguards in the DPRK.

19. Canada welcomed the 1995 indefinite extension of this Treaty, adopted without a vote in 1995 by 175 countries. Negative security assurances provided in 1995 by the five nuclear-weapon States Parties to the NPT, in United Nations Security Council resolution 984, furnished part of the basis for this indefinite extension, as paragraph 8 of the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament". Canada continues to underline the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon States Parties to this Treaty.

Article XI: N/A